

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO ex rel.,
State Engineer,

Plaintiff,

vs.

No. 69cv07941-BB-ACE
RIO CHAMA STREAM SYSTEM
Section 7

ROMAN ARAGON, et al.,

Defendants.

REPLY TO STATE OF NEW MEXICO'S
RESPONSE TO MOTION TO ALLOW
CONSIDERATION OF LATE FILED RESPONSE

Henry G. Coors for his reply to the State's response states as follows:

1. He admits that he did not file a timely response nor seek an extension of time.

The information necessary to reply to the motion was packed away in storage. It was necessary for him to find materials relating to his travel during the time period in question in order to provide the Court with an itinerary as to his whereabouts and why he was unable to receive notice of the hearing at the time.

2. Mr. Coors would note that many Default Judgments in this case have been set aside for various reasons and that local rule 1.7 allows a judge to waive a rule to avoid injustice. Mr. Coors believes that the Court should consider all of the facts before ruling on the Motion to Set Aside the Default Judgment and that there is no prejudice to the parties opposing the Motion considering the late filed response.

3. Further, Mr. Coors would point out that he does not seek to preserve water rights for himself but for the Rutheron Water Association in which he no longer has a

financial interest.

WHEREFORE, Mr. Coors prays that the Court consider the late filed response in deciding the Motion to Set Aside Default Judgment.

WALTER L. REARDON, JR., P.A.

WALTER L. REARDON, JR., 2158
Attorney for Henry G. Coors
3733 Eubank Blvd., N.E.
Albuquerque, NM 87111-3536
Telephone: (505) 293-7000
Fax: (505) 293-0831
Email: walter@reardonlawnm.com

We hereby certify that a copy of the foregoing pleading was sent by the method(s) indicated below to the person(s) and indicated address(es) listed below on the 8th day of August, 2005. If by facsimile or email, the transmission was reported as complete and without error.

Special Master Vickie L. Gabin, sent via first class mail
USDC-DCNM
P. O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall
Data Manager, sent via first class mail
1315 Sagebrush Drive, S.W.
Los Lunas, NM 87031

Bradley S. Bridgewater
David W. Gehlert, sent via first class mail
USDOJ-ENRD
999 18th Street, Suite 945
Denver, CO 80202

John W. Utton, sent via first class mail
Sheehan, Sheehan & Stelzner, PA
P. O. Box 271
Albuquerque, NM 87103-0271

Paula Garcia, sent via first class mail
NM Acequia Association
607 Cerrillos Road, Suite F
Santa Fe, NM 87505

Benjamin Phillips
John F. McCarthy
Rebecca Dempsey, sent via first class mail
White, Koch, Kelly & McCarthy, PA
P. O. Box 787
Santa Fe, NM 87504-0787

Lester K. Taylor, sent via first class mail
Nordhaus, Haltom, Taylor,
Taradash & Bladh, LLP
405 Dr. Martin Luther King Avenue, N.E.
Albuquerque, NM 87102-3541

Susan Jordan, sent via first class mail
1239 Paseo de Peralta
Santa Fe, NM 87501

Tessa T. Davidson, sent via first class mail
The Davidson Law Firm
P. O. Box 2240
Corrales, NM 87048

Marcus J. Rael, Jr., sent via first class mail
500 4th Street, N.W., Suite 200
Albuquerque, NM 87102

Pierre Levy, sent via first class mail
Law Offices of Daniel J. O'Friel, Ltd.
P. O. Box 2084
Santa Fe, NM 87504-2084

John P. Hays, sent via first class mail
Cassutt, Hays & Friedman, PA
530-B Harkle Road
Santa Fe, NM 87505

Daniel Cleavinger, sent via first class mail
P. O. Box 2470
Farmington, NM 87499

Ted J. Trujillo, sent via first class mail
P. O. Box 2185
Espanola, NM 87532-2185

Karen L. Townsend, sent via first class mail
120 East Chaco
Aztec, NM 87410

NM Acequia Commission, sent via first class mail
Fred Vigil, Chairman
Dept. of Finance & Administration
Local Government Division
Bataan Memorial Building
Santa Fe, NM 87503

Martin E. Threet, sent via first class mail
Martin E. Threet and Associates
6605 Uptown Blvd., N.E., Suite 280
Albuquerque, NM 87110

Kurt J. Van Deren, sent via first class mail
P. O. Box 94750
Albuquerque, NM 87199-4750

Gary S. Friedman, sent via first class mail
Cassutt, Hays & Friedman, PA
530-B Harkle Road
Santa Fe, NM 87505

Peter B. Shoenfeld, sent via first class mail
P. O. Box 2421
Santa Fe, NM 87504-2421

Ernest L. Padilla, sent via first class mail
Padilla Law Firm, PA
P. O. Box 2523
Santa Fe, NM 87504-2523

Jeffrey H. Albright
Cynthia A. Loehr, sent via first class mail
Jontz, Dawe Gulley & Crown, PC
201 Third Street, N.W., Suite 1950
Albuquerque, NM 87103-1027

Ed Newville, sent via first class mail
Special Assistant Attorney General
Office of the State Engineer
P. O. Box 25102
Santa Fe, NM 87504-5102

Sent By: Karen Madison
Sender's Fax: (505) 293-0545
Sender's Email: walter@reardonlawnm.com